

10-01-01

#982/1614#
Docket No. 00537/168002
10/04/2001

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity) Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))		<input type="checkbox"/> DUPLICATE (Check box if applicable)
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First Named Inventor	Examiner	Group/Art Unit
Cawthorne et al.	A. Mohamed	1614

Address to:
 Assistant Commissioner for Patents
 Box CPA
 Washington, D.C. 20231

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/423,683 filed on March 20, 2000 and entitled:

METHOD AND COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND OTHER CONDITIONS

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

10/03/2001 CNGUYEN 00000009 500590 09423683

01 FC:131 710.00 CH
 02 FC:102 240.00 CH
 03 FC:103 432.00 CH

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations
6. ☒ The fee for this application is calculated as follows:

"EXPRESS MAIL" Mailing Label No. EL602965615US
 Date of Deposit September 28, 2001
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.
Karen Louder
 (Typed or printed name of person mailing paper or fee)
Karen Louder
 (Signature of person mailing paper or fee)

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	44	- 20 =	24	x \$18.00	\$432.00
Indep. Claims	6	- 3 =	3	x \$80.00	\$240.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
TOTAL FILING FEE					\$1,382.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 50-0590

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☒ Also enclosed:
Associate Power of Attorney, 3 month petition for Extension of Time.

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address
is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

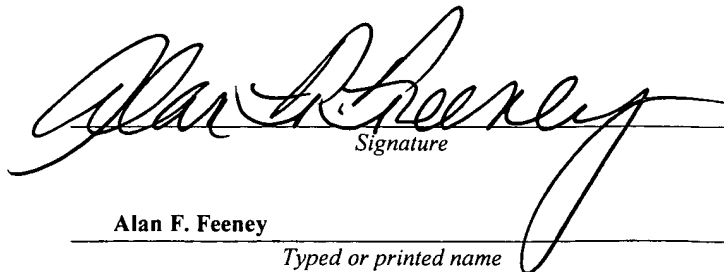
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: September 28, 2001


Signature

Alan F. Feeney

Typed or printed name

43,609

Registration Number (if applicable)

- ☐ Inventor(s)
- ☐ Assignee of complete interest
- ☒ Attorney or agent of record

cc: